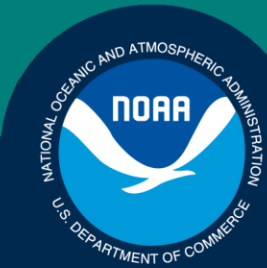


*Science, Service, Stewardship*



NOAA

## **Protected Resources Presentation to MAFAC**

**Jim Lecky**

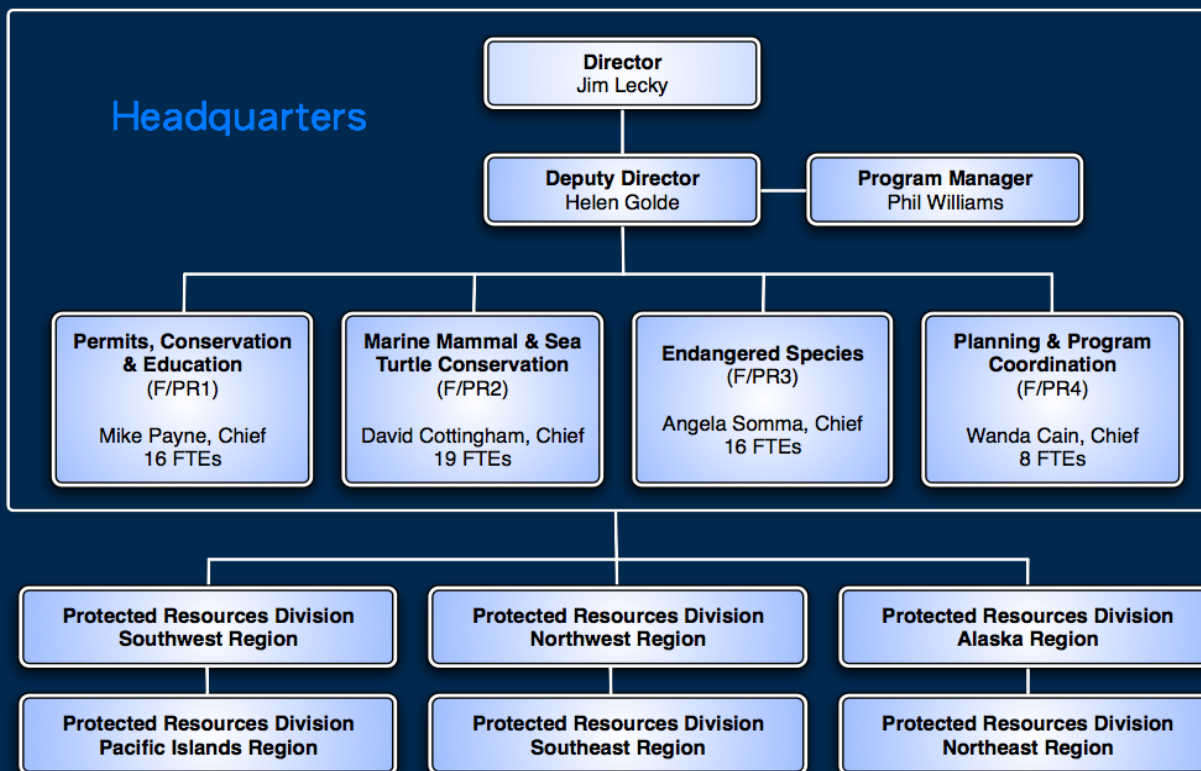
**Director, NMFS Office of Protected Resources**

June 23, 2010

**NOAA  
FISHERIES  
SERVICE**



# NOAA Fisheries Service Office of Protected Resources Structure and Function





# Agency Responsibilities

## ESA –

- Provide a means whereby the ecosystems upon which endangered and threatened species depend may be conserved
- Provide a program for the conservation of threatened and endangered species



# Agency Responsibilities

## Tools - ESA

- Make Listing Decisions
- Enforce Prohibition on Take
- Interagency Consultation
- Manage exemptions
- Implement Regulations
- Recovery Plans/Take Reduction Plans

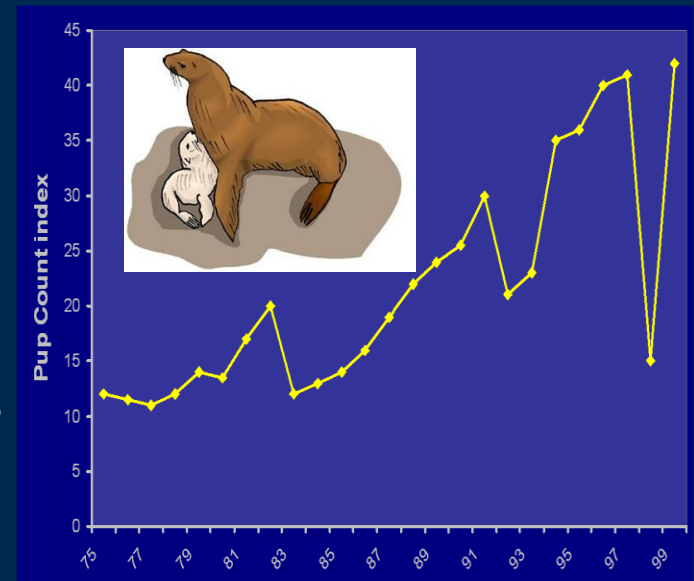




# Agency Responsibilities

MMPA -

[marine mammals] should be encouraged to develop to the greatest extent feasible commensurate with sound policies of resource management (OSP)



The primary objective ... should be to maintain the health and stability of the marine ecosystem

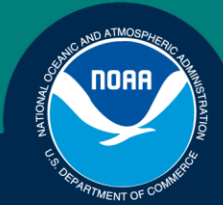


# Agency Responsibilities

## Tools – MMPA

- Enforce Moratorium on Take
- Trade restrictions
- Manage PBR/TRT
- Permits and Authorization
- Public Display
- Health and Stranding Response





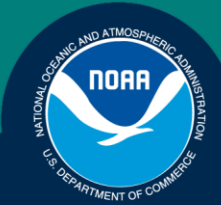
# **Prioritization of Resources**

## **Mandates**

- Petition Management
- Interagency Consultation
- Court Orders

**Affect our ability to prioritize**





# Prioritization of Resources

## Delegations

- Regional Leads
- HQ Leads

## Considerations

- Availability of Resources
- Magnitude of Risk/Effect
- Scope of Project







# Hot Topics

**Ocean Noise**



**Energy**



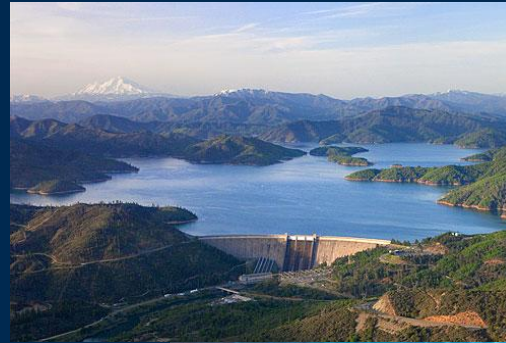
**Pesticides**





# Hot Topics

**Water**



**Fisheries**



**Petitions**





# ESA Listing / Delisting

- Petition (or self-initiated)
- 90-day finding
- Status review and peer review
- 12-month finding/proposed rule
- Public comment and peer review
- Final rule
- Critical habitat designation

## PETITION TO LIST 83 CORAL SPECIES UNDER THE ENDANGERED SPECIES ACT



Blue rice coral photo © Keoki Stender



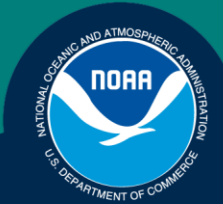


# Petition and 90 Day Finding

## Standard

- Reasonable person test
- Information contained in the petition or easily accessible in files
- Petitioners generally developing thorough petitions.





# Status Review

Lead Region/Center  
Risk Assessment  
Expert Panel (BRT)  
Defines risk of extinction  
Ties risk to factors for listing  
Risk Management (PECE)  
Recommendation





# Listing / delisting

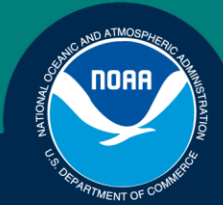
## Listing

- If warranted
- Notice and comment rule making

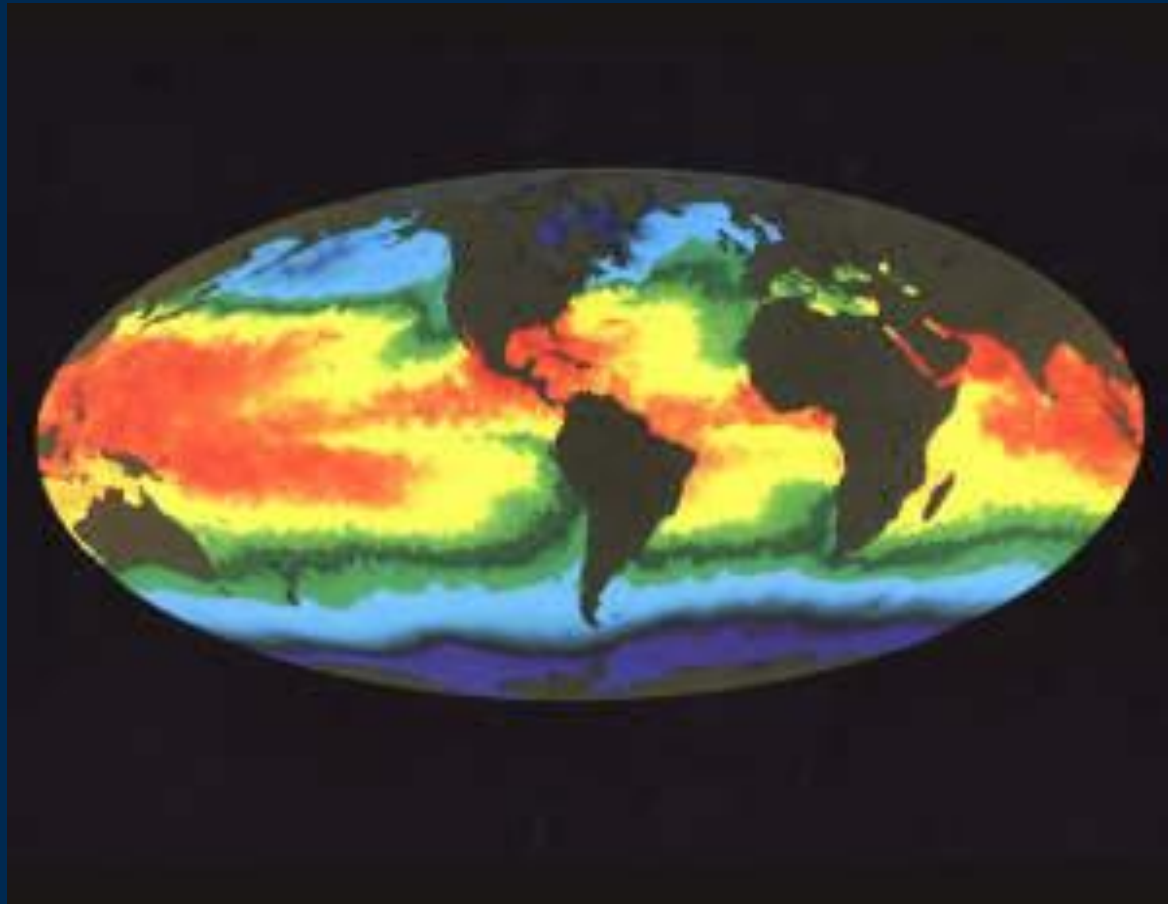
## Delisting

- Recovered
- New information
- Extinct





# Climate Change







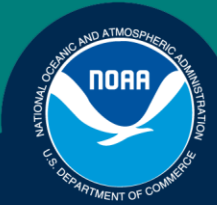
# Climate Change

Do we have to consult on green house emissions?

- Bush rule
- Obama review
- FWS Polar Bear Rule







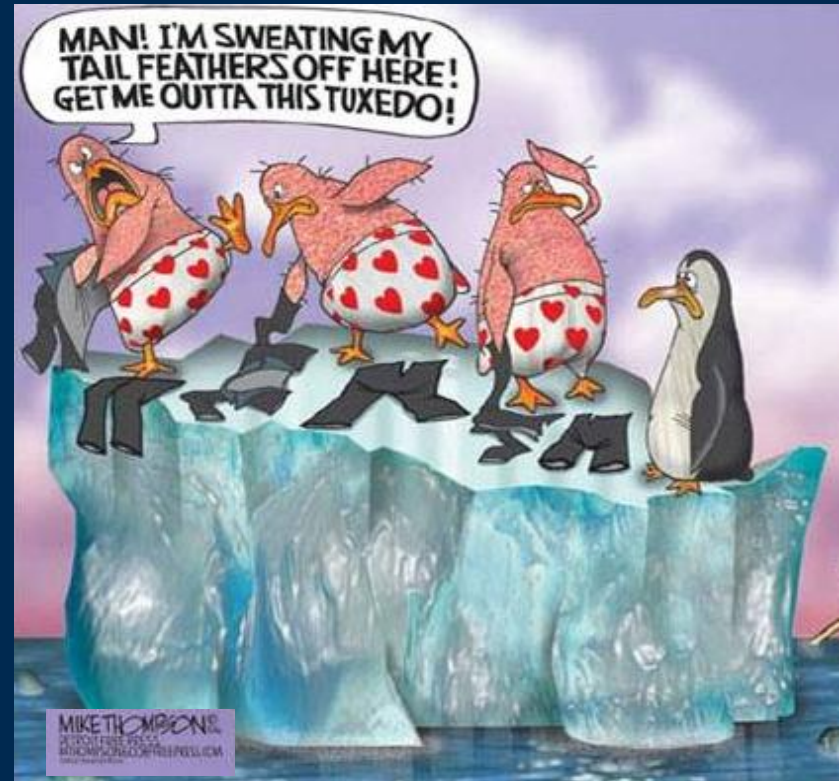
# A word on Climate Change “Adaptation”

## NMFS workshops

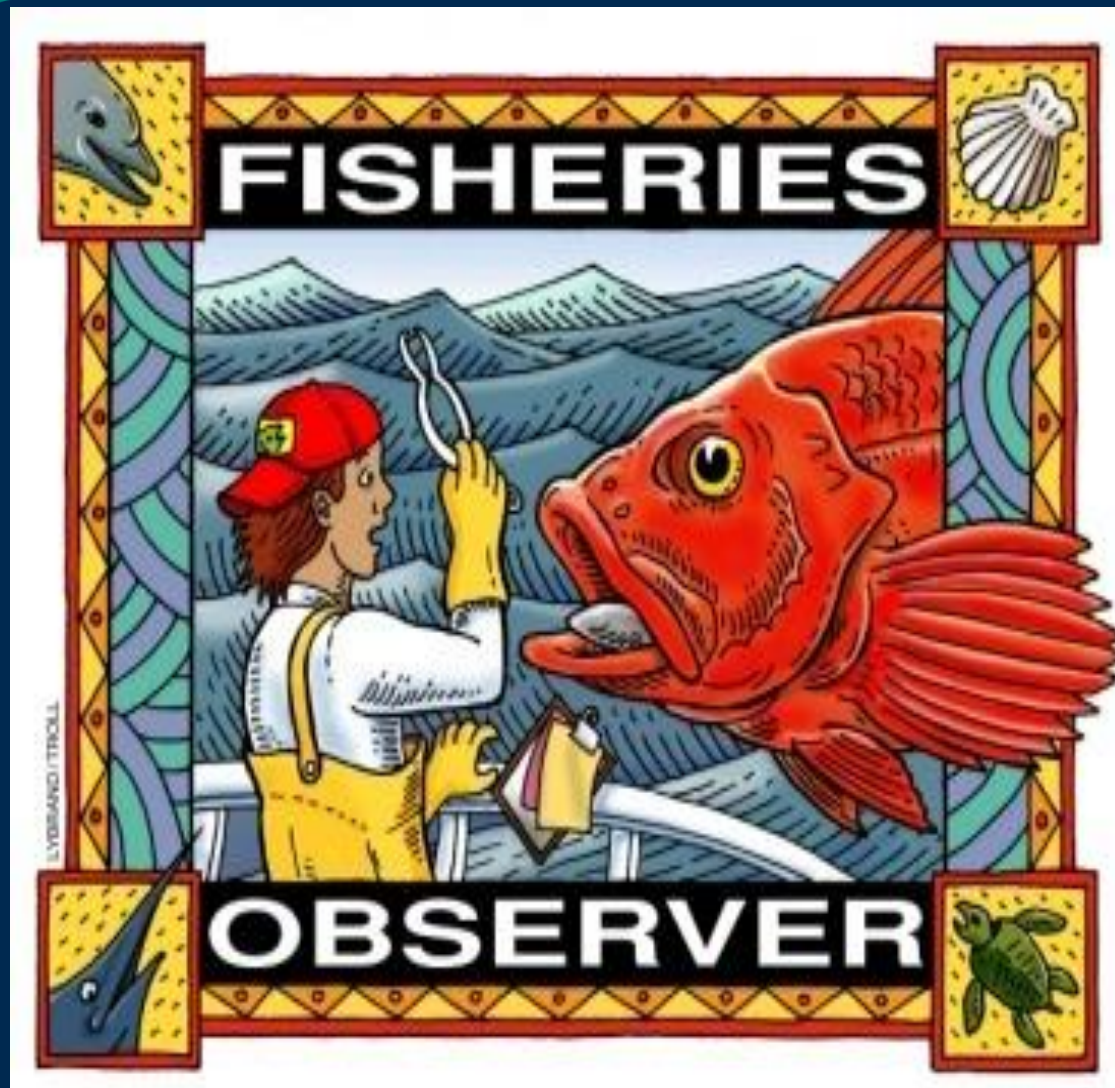
- Review case studies
- Identify best practices

## Collaboration with Climate office

- Modeling future conditions
- Characterize resiliency



**NOAA  
FISHERIES  
SERVICE**





# Fisheries Observers

## Authority

- MSFCMA
  - Federal Fisheries
- MMPA
  - All Fisheries
  - § 118
- ESA
  - § 7 Federal Fisheries
  - § 10 State Fisheries



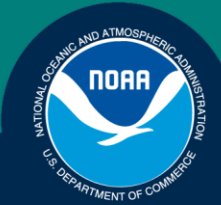


# Fisheries Observers

- Statistics (2008):
  - 41 fisheries observed
  - Over 64,000 days at sea
  - 800 observers deployed
- Coverage
  - < 1% to 100%







# Data Collected

## ■ Multi-purpose programs

- Species composition
- Biological sampling
- Age and length of fish
- Fishing effort, fishing gear characteristic
- Tag recapture information
- Habitat and environmental conditions





# Data Uses

- Assessing impact of incidental take
- Monitoring levels on incidental take
- Informing Take Reduction Teams
- Development of mitigation measures
- Assessing effectiveness of mitigation measures





# Data Reliability

## Reliability

- Observers are well trained
- Data reviewed and quality controlled

## Limitations

- Small sample sizes
- Low coverage = extrapolation
- Monitors could increase coverage